REMARKS

Applicants respectfully request reconsideration and allowance of the subject application. Claims 2, 4-27, 29-47, 50-52, 54 and 56-67 are pending in the application.

Claim Rejection under 35 U.S.C § 112

Claims 3, 53 and 55 have been canceled rendering the rejected under 35 U.S.C. § 112 moot.

Claim Rejection under 35 U.S.C. § 102

Claims 36, 38, 40 and 41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent No. 6,389,288 to Kuwahara. With regard to Claim 36, Applicants respectfully assert that Kuwahara fails to disclose the method:

> defining one or more class types, wherein each class type defines a high level abstraction of one or more different physical or logical locations for which a particular cellular phone behavior is desired; and
>
> associating attributes with the one or more class types, the attributes defining cellular phone behavior.

Kuwahara only discloses associating a specific reported location, specific Boolean combination of reported locations (e.g., "zone1" and "zone2" and "zone3"), or specific variation of reported location is associated with a specific user defined (e.g., user friendly) name (e.g., home). Kuwahara does not disclose defining one or more class types, where each class type defines a high level abstraction of one or more different physical or logical locations for which a particular cellular phone behavior is desired. Accordingly, Applicants submit that Claim 36 contains limitations not disclosed by Kuwahara. Furthermore, Claims 38 and 40 are also allowable by virtue of their dependency on Claim 36, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 36, 38 and 40 be withdrawn.

With regard to Claim 41, Applicants respectfully assert that Kuwahara fails to disclose the method:

> defining one or more class types, wherein each class type is an abstraction of one or more different physical or logical locations;
>
> associating attributes with each of the one or more class types, the attributes defining cellular phone behavior; and
>
> associating a class type with an instance of a location for which a particular cellular phone behavior is desired.

Kuwahara only discloses associating a user friendly name with a reported location. Kuwahara does not disclose defining one or more class types, wherein each class type is an

abstraction of one or more different physical or logical locations. Accordingly, Applicants submit that Claim 41 contains limitations not disclosed by Kuwahara. Applicants therefore respectfully request that the rejection of Claim 41 be withdrawn.

Claims 50-53 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent No. 6,327,535 to Evans. Applicants respectfully claim that the present application is a continuation-in-part of Evans. The present response requests amendment of the specification to include a cross-reference to the Evans application. The surcharge set forth in 37 C.F.R. § 1.17(t) is submitted with this response. Furthermore, the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date of the claim to the benefit of the earlier filing date of Evan was unintentional. Accordingly, Applicants respectfully request that the rejection of Claims 50-53 be withdrawn.

Claim Rejection under 35 U.S.C. § 103

Claims 5 and 48 stand rejected under 35 U.S.C. § 103 as being obvious in view of U.S. Patent No. 6,011,973 to Valentine. With regard to Claim 5, Applicants respectfully assert that Valentine fails to teach or suggest:

> one or more processors configured to:
>
> receive information that pertains to a current context of the cellular phone;

determine the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context;

modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party; and

an application program interface that is configured to wirelessly receive information that is associated with the phone's context.

Valentine only discloses ascertaining the geographical location of the cellular phone, determining whether the cellular telephone is allowed to operate in the geographical location and disabling the transceiver of the cellular telephone if operation is denied. Valentine does not teach or suggest determining the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context. Accordingly, Applicants submit that Claim 5 contains limitations not disclosed by Valentine. Applicants therefore respectfully request that the rejection of Claim 5 be withdrawn.

With regard to canceled Claim 48, the rejected under has been rendered moot.

Claims 6-12, 14-47, 54-55 and 57-58 stand rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,389,288 to Kuwahara and U.S. Patent No. 6,011,973 to Valentine. With regard to Claim 6, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest the method:

> wirelessly receiving, with the cellular phone, information that pertains to either a physical or logical context of the cellular phone, the cellular phone being configured to receive said information from different types of context providers that provide different forms of information;
>
> responsive to said receiving and using only the cellular phone and its associated on-board componentry, determining a current context based upon the information and a hierarchy data structure of attributes; and
>
> modifying at least one behavior associated with the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party.

In particular, neither Kuwahara nor Valentine teach or suggest receiving information that pertains to either a physical or logical context of the cellular phone. Accordingly, neither Kuwahara nor Valentine teach or suggest determining a current context based upon the received information and a hierarchy data structure of attributes. Furthermore, Claims 7-12

and 14 are also allowable by virtue of their dependency on Claim 6, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 6-12 and 14 be withdrawn.

With regard to Claim 15, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> wirelessly receive information from different context source information types that provide different forms of information that pertains to a context of the cellular phone;
>
> responsive to receiving the information, determine the cellular phone context and modify at least one behavior associated with the cellular phone based on the information and a hierarchy data structure of attributes, wherein at least one of said one behavior is defined by a third party and wherein each node of the data structure being capable of corresponding to either a physical or logical context.

In particular, neither Kuwahara nor Valentine teach or suggest modifying at least one behavior associated with the cellular phone based on the received information and a hierarchy data structure of attributes ... wherein each node of the data structure being capable of corresponding to either a physical or logical context. Furthermore, Claim 16 is also allowable by virtue of its dependency on Claim 15, as well as the additional elements it

recites. Applicants therefore respectfully request that the rejection of Claims 15 and 16 be withdrawn.

With regard to Claim 17, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> multiple different types of location providers which collectively are configured to receive different forms of location information that can be used by the cellular phone to ascertain its location; and
>
> one or more processors configured to:
>
> receive information associated with a current location of the cellular phone; and
>
> modify at least one behavior of the cellular phone responsive to the information and a hierarchy tree structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party.

In particular, neither Kuwahara nor Valentine teach or suggest modifying at least one behavior of the cellular phone responsive to the information and a hierarchy tree structure associating physical or logical locations to a plurality of attributes. Furthermore, Claims 18-23 are also allowable by virtue of their dependency on Claim 17, as well as the additional

elements they recite. Applicants therefore respectfully request that the rejection of Claims 17-23 be withdrawn.

With regard to Claim 24, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> receiving means configured to wirelessly receive multiple different forms of information that pertains to a current location of a cellular phone and use said multiple different forms of information to ascertain the current location; and
>
> means to modify at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party.

In particular, neither Kuwahara nor Valentine teach or suggest means to modifying at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes. Claim 25 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 26 and 27 are allowable by virtue of their dependency on Claim 24, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 24, 26 and 27 be withdrawn.

With regard to Claim 29, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> defining one or more cellular phone behaviors for each of a plurality of location types, wherein at least one behavior is defined by a third party and wherein each location type is associated with one or more different physical or logical locations; and
>
> wirelessly transmitting information to cellular phones within an instance of a location that permits cellular phones to automatically modify their behavior while in that location, wherein said transmitting information is associated with a particular location type.

In particular, neither Kuwahara nor Valentine teach or suggest defining one or more cellular phone behaviors for each of a plurality of location types, wherein ... each location type is associated with one or more different physical or logical locations. Furthermore, Claim 30 is also allowable by virtue of its dependency on Claim 29, as well as the additional elements it recites. Applicants therefore respectfully request that the rejection of Claims 29 and 30 be withdrawn.

With regard to Claim 31, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

providing one or more transmitters that are configured to transmit information that permits cellular phones to automatically modify at least one behavior defined by a third party, at least a portion of the information pertaining to one or more assigned class types, wherein individual ones of the class types are associated with various attributes that define the behavior of cellular phones and wherein individual ones of the class types define high level abstractions of either physical or logical locations;

placing the one or more transmitters in a location where a particular cellular phone behavior is desired; and

transmitting information using said one or more transmitters.

In particular, neither Kuwahara nor Valentine teach or suggest providing one or more transmitters that are configured to transmit information that permits cellular phones to automatically modify at least one behavior defined by a third party, at least a portion of the information pertaining to one or more assigned class types, wherein individual ones of the class types are associated with various attributes that define the behavior of cellular phones and wherein individual ones of the class types define high level abstractions of either physical or logical locations. Furthermore, Claims 32-35 are also allowable by virtue of their dependency on Claim 31, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 31-35 be withdrawn.

With regard to Claim 36, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> defining one or more class types, wherein each class type defines a high level abstraction of one or more different physical or logical locations for which a particular cellular phone behavior is desired; and
>
> associating attributes with the one or more class types, the attributes defining cellular phone behavior.

In particular, neither Kuwahara nor Valentine teach or suggest defining one or more class types, wherein each class type defines a high level abstraction of one or more different physical or logical locations for which a particular cellular phone behavior is desired. Accordingly, neither Kuwahara nor Valentine teach or suggest associating attributes with the one or more class types. Furthermore, Claims 37-40 are also allowable by virtue of their dependency on Claim 36, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 36-40 be withdrawn.

With regard to Claim 41, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> defining one or more class types, wherein each class type is an abstraction of one or more different physical or logical locations;

associating attributes with each of the one or more class types, the attributes defining cellular phone behavior; and

associating a class type with an instance of a location for which a particular cellular phone behavior is desired.

In particular, neither Kuwahara nor Valentine teach or suggest defining one or more class types, wherein each class type is an abstraction of one or more different physical or logical locations. Accordingly, neither Kuwahara nor Valentine teach or suggest associating attributes with the one or more class types. Applicants therefore respectfully request that the rejection of Claim 41 be withdrawn.

With regard to Claim 42, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

defining one or more class types, wherein each class type is an abstraction of one or more physical or logical locations for which a particular cellular phone behavior is desired, the class type having attributes that define the cellular phone's behavior; and

wirelessly transmitting information pertaining to a given class type for reception by cellular phones in the location, the information being configured to be used by cellular phones to automatically adjust one or more behaviors.

In particular, neither Kuwahara nor Valentine teach or suggest defining one or more class types, wherein each class type is an abstraction of one or more physical or logical locations for which a particular cellular phone behavior is desired, the class type having attributes that define the cellular phone's behavior. Accordingly, neither Kuwahara nor Valentine teach or suggest wirelessly transmitting information pertaining to a given class type for reception by cellular phones in the location, the information being configured to be used by cellular phones to automatically adjust one or more behaviors. Claim 43 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 44-47 are allowable by virtue of their dependency on Claim 42, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 42 and 44-47 be withdrawn.

With regard to Claim 54, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> a context service module that is configured to receive different forms of information from multiple different types of context providers; and
>
> one or more processors associated with the context service module and configured to:
>
> receive information that pertains to a current context of the cellular phone;

determine the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction; and

modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party.

In particular, neither Kuwahara nor Valentine teach or suggest determining the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction. Claim 55 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 56 and 57 are allowable by virtue of their dependency on Claim 54, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 54, 56 and 57 be withdrawn.

With regard to Claim 58, Applicants respectfully assert that Kuwahara and Valentine fail to teach or suggest:

> location provider means for receiving different forms of location information;
>
> means for ascertaining a current location from the different forms of location information;
>
> means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises:
>
> a plurality of nodes, wherein each node is linked to one or more other nodes;
>
> a plurality of attributes corresponding to either a physical or logical context, wherein each attribute is associated with at least one node; and
>
> means for modifying at least one behavior associated with the cellular phone responsive to the context.

In particular, neither Kuwahara nor Valentine teach or suggest a means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises a plurality of nodes, wherein each node is linked to one or more other nodes, and a plurality of attributes corresponding to either a physical or logical context,

wherein each attribute is associated with at least one node. Accordingly, Applicants therefore respectfully request that the rejection of Claim 58 be withdrawn.

Claims 24-27, 39-30 and 58 stand rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,201,973 to Kowaguchi and U.S. Patent No. 6,011,973 to Valentine. With regard to Claim 24, Applicants respectfully assert that Kowaguch and Valentine fail to teach or suggest:

> receiving means configured to wirelessly receive multiple different forms of information that pertains to a current location of a cellular phone and use said multiple different forms of information to ascertain the current location; and
>
> means to modify at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party.

In particular, neither Kowaguchi nor Valentine teach or suggest a means to modify at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes. Claim 25 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 26 and 27 are allowable by virtue of their dependency on Claim 24, as well as the additional

elements they recite. Applicants therefore respectfully request that the rejection of Claims 24, 26 and 27 be withdrawn.

With regard to Claim 29, Applicants respectfully assert that Kowaguchi and Valentine fail to teach or suggest:

> defining one or more cellular phone behaviors for each of a plurality of location types, wherein at least one behavior is defined by a third party and wherein each location type is associated with one or more different physical or logical locations; and
>
> wirelessly transmitting information to cellular phones within an instance of a location that permits cellular phones to automatically modify their behavior while in that location, wherein said transmitting information is associated with a particular location type.

In particular, neither Kowaguchi nor Valentine teach or suggest defining one or more cellular phone behaviors for each of a plurality of location types, wherein ... each location type is associated with one or more different physical or logical locations. Furthermore, Claim 30 is also allowable by virtue of its dependency on Claim 29, as well as the additional elements it recites. Applicants therefore respectfully request that the rejection of Claims 29 and 30 be withdrawn.

With regard to Claim 58, Applicants respectfully assert that Kowaguchi and Valentine fail to teach or suggest:

> location provider means for receiving different forms of location information;
>
> means for ascertaining a current location from the different forms of location information;
>
> means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises:
>
> a plurality of nodes, wherein each node is linked to one or more other nodes;
>
> a plurality of attributes corresponding to either a physical or logical context, wherein each attribute is associated with at least one node; and
>
> means for modifying at least one behavior associated with the cellular phone responsive to the context.

In particular, neither Kowaguchi nor Valentine teach or suggest a means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises a plurality of nodes, wherein each node is linked to one or more other nodes, and a plurality of attributes corresponding to either a physical or logical context,

wherein each attribute is associated with at least one node. Accordingly, Applicants therefore respectfully request that the rejection of Claim 58 be withdrawn.

Claim 13 stands rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,389,288 to Kuwahara, U.S. Patent No. 6,011,973 to Valentine and International Application No. WO 99/55102 to Te-eni. Applicants respectfully assert that Kuwahara, Valentine and Te-eni all fail to teach or suggest the method:

> wirelessly receiving, with the cellular phone, information that pertains to either a physical or logical context of the cellular phone, the cellular phone being configured to receive said information from different types of context providers that provide different forms of information;
>
> responsive to said receiving and using only the cellular phone and its associated on-board componentry, determining a current context based upon the information and a hierarchy data structure of attributes; and
>
> modifying at least one behavior associated with the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party;

and

receiving cellular phone setting information that is to be used to modify the cellular phone's behavior.

In particular, neither Kuwahara, Valentine not Te-eni teach or suggest wirelessly receiving, with the cellular phone, information that pertains to either a physical or logical context of the cellular phone. Accordingly, neither Kuwahara, Valentine not Te-eni teach or suggest determining a current context based upon the information and a hierarchy data structure of attributes. Applicants therefore respectfully request that the rejection of Claim 13 be withdrawn.

Claim 56 stands rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,389,288 to Kuwahara, U.S. Patent No. 6,011,973 to Valentine and U.S. Patent No. 6,104,344 to Wax. Applicants respectfully assert that Kuwahara, Valentine and Wax all fail to teach or suggest:

a context service module that is configured to receive different forms of information from multiple different types of context providers; and

one or more processors associated with the context service module and configured to:

receive information that pertains to a current context of the cellular phone;

determine the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction; and

modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party;

and

automatically determining the context by traversing at least one node of the hierarchy data tree of attributes.

In particular, neither Kuwahara, Valentine nor wax teach or suggest determining the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction. Applicants therefore respectfully request that the rejection of Claim 56 be withdrawn.

Claims 2, 3, 5, 6, 11 and 14 stand rejected under 35 U.S.C. § 103 as being obvious in view of U.S. Patent No. 6,233,448 to Alperovich. With regard to Claim 5, Applicants respectfully assert that Alperovich fails to teach or suggest:

> one or more processors configured to:
>
> receive information that pertains to a current context of the cellular phone;
>
> determine the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context;
>
> modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party; and
>
> an application program interface that is configured to wirelessly receive information that is associated with the phone's context.

In particular, Alperovich does not teach or suggest determining the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context. Claim 3 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claim 2 is allowable by virtue

of its dependency on Claim 5, as well as the additional elements it recites. Applicants therefore respectfully request that the rejection of Claims 2 and 5 be withdrawn.

With regard to Claim 6, Applicants respectfully assert that Alperovich fails to teach or suggest the method:

> wirelessly receiving, with the cellular phone, information that pertains to either a physical or logical context of the cellular phone, the cellular phone being configured to receive said information from different types of context providers that provide different forms of information;
>
> responsive to said receiving and using only the cellular phone and its associated on-board componentry, determining a current context based upon the information and a hierarchy data structure of attributes; and
>
> modifying at least one behavior associated with the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party.

In particular, Alperovich does not teach or suggest receiving information that pertains to either a physical or logical context of the cellular phone. Accordingly, Alperovich does not teach or suggest determining a current context based upon the received information and a hierarchy data structure of attributes. Furthermore, Claims 11 and 14 are also allowable by

virtue of their dependency on Claim 6, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 6, 11 and 14 be withdrawn.

Claims 4 and 56 stand rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,233,449 to Alperovich and U.S. Patent No. 6,104,344 to Wax. With regard to Claim 4, Applicants respectfully assert that Alperovich and Wax fail to teach or suggest:

> one or more processors configured to:
>
> receive information that pertains to a current context of the cellular phone;
>
> determine the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context;
>
> modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party; and
>
> an application program interface that is configured to wirelessly receive information that is associated with the phone's context;

and

automatically determining the current context by traversing at least one node of the data structure.

In particular, neither Alperovich nor wax teach or suggest determining the current context based on the information and a hierarchy data structure of attributes, wherein each node of the data structure is capable of corresponding to a physical or logical context. Applicants therefore respectfully request that the rejection of Claim 4 be withdrawn.

With regard to Claim 56, Applicants respectfully assert that Alperovich and Wax fail to teach or suggest:

a context service module that is configured to receive different forms of information from multiple different types of context providers; and

one or more processors associated with the context service module and configured to:

receive information that pertains to a current context of the cellular phone;

determine the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an

administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction; and

modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party;

and

automatically determining the context by traversing at least one node of the hierarchy data tree of attributes.

In particular, neither Alperovich nor wax teach or suggest determining the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction. Applicants therefore respectfully request that the rejection of Claim 56 be withdrawn.

Claims 7-12, 14-27, 29-47, 54, 55, 57 and 58 stand rejected under 35 U.S.C. § 103 as being obvious in view of the combination of U.S. Patent No. 6,233,449 to Alperovich and U.S. Patent No. 6,389,288 to Kuwahara. With regard to Claim 7, Applicants respectfully assert that Alperovich and Kuwahara fail to disclose:

wirelessly receiving, with the cellular phone, information that pertains to either a physical or logical context of the cellular phone, the cellular phone being configured to receive said information from different types of context providers that provide different forms of information;

responsive to said receiving and using only the cellular phone and its associated on-board componentry, determining a current context based upon the information and a hierarchy data structure of attributes; and

modifying at least one behavior associated with the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party;

and

wherein the behavior pertains to whether the phone is on or off.

In particular, neither Alperovich nor Kuwahara teach or suggest receiving information that pertains to either a physical or logical context of the cellular phone. Accordingly, neither Alperovich nor Kuwahara teach or suggest determining a current context based upon the received information and a hierarchy data structure of attributes. Furthermore, Claims 8-12 and 14 are also allowable by virtue of their dependency on Claim 6 that contains limitation not taught or suggested by Alperovich or Kuwahara, as well as the additional elements they

recite. Applicants therefore respectfully request that the rejection of Claims 7-12 and 14 be withdrawn.

With regard to Claim 15, Applicants respectfully assert that Alperovich and Kuwahara fail to disclose:

> wirelessly receive information from different context source information types that provide different forms of information that pertains to a context of the cellular phone;
>
> responsive to receiving the information, determine the cellular phone context and modify at least one behavior associated with the cellular phone based on the information and a hierarchy data structure of attributes, wherein at least one of said one behavior is defined by a third party and wherein each node of the data structure being capable of corresponding to either a physical or logical context.

In particular, neither Alperovich nor Kuwahara teach or suggest determining the cellular phone context and modify at least one behavior associated with the cellular phone based on the information and a hierarchy data structure of attributes, wherein ... each node of the data structure being capable of corresponding to either a physical or logical context. Furthermore, Claim 16 is also allowable by virtue of its dependency on Claim 15, as well as the additional elements it recites. Applicants therefore respectfully request that the rejection of Claims 15 and 16 be withdrawn.

With regard to Claim 17, Applicants respectfully assert that Alperovich and Kuwahara fail to disclose:

> multiple different types of location providers which collectively are configured to receive different forms of location information that can be used by the cellular phone to ascertain its location; and
>
> one or more processors configured to:
>
> receive information associated with a current location of the cellular phone; and
>
> modify at least one behavior of the cellular phone responsive to the information and a hierarchy tree structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party.

In particular, neither Alperovich nor Kuwahara teach or suggest modifying at least one behavior of the cellular phone responsive to the information and a hierarchy tree structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party. Furthermore, Claims 18-23 are also allowable by virtue of their dependency on Claim 17, as well as the additional elements they recites. Applicants therefore respectfully request that the rejection of Claims 17-23 be withdrawn.

With regard to Claim 24, Applicants respectfully assert that Alperovich and Kuwahara fail to disclose:

> receiving means configured to wirelessly receive multiple different forms of information that pertains to a current location of a cellular phone and use said multiple different forms of information to ascertain the current location; and
>
> means to modify at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes, wherein at least one of said one behavior is defined by a third party.

In particular, neither Alperovich nor Kuwahara teach or suggest a means to modify at least one behavior associated with the cellular phone responsive to the current location and a hierarchy data structure associating physical or logical locations to a plurality of attributes. Furthermore, Claims 25-27 are also allowable by virtue of their dependency on Claim 24, as well as the additional elements they recites. Applicants therefore respectfully request that the rejection of Claims 24-27 be withdrawn.

With regard to Claim 29, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

> defining one or more cellular phone behaviors for each of a plurality of location types, wherein at least one behavior is defined by

a third party and wherein each location type is associated with one or more different physical or logical locations; and

wirelessly transmitting information to cellular phones within an instance of a location that permits cellular phones to automatically modify their behavior while in that location, wherein said transmitting information is associated with a particular location type.

In particular, neither Alperovich nor Kuwahara teach or suggest defining one or more cellular phone behaviors for each of a plurality of location types, wherein ... each location type is associated with one or more different physical or logical locations. Furthermore, Claim 30 is also allowable by virtue of its dependency on Claim 29, as well as the additional elements it recites. Applicants therefore respectfully request that the rejection of Claims 29 and 30 be withdrawn.

With regard to Claim 31, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

providing one or more transmitters that are configured to transmit information that permits cellular phones to automatically modify at least one behavior defined by a third party, at least a portion of the information pertaining to one or more assigned class types, wherein individual ones of the class types are associated with various

attributes that define the behavior of cellular phones and wherein individual ones of the class types define high level abstractions of either physical or logical locations;

placing the one or more transmitters in a location where a particular cellular phone behavior is desired; and

transmitting information using said one or more transmitters.

In particular, neither Alperovich nor Kuwahara teach or suggest providing one or more transmitters that are configured to transmit information that permits cellular phones to automatically modify at least one behavior defined by a third party, at least a portion of the information pertaining to one or more assigned class types, wherein individual ones of the class types are associated with various attributes that define the behavior of cellular phones and wherein individual ones of the class types define high level abstractions of either physical or logical locations. Furthermore, Claims 32-35 are also allowable by virtue of their dependency on Claim 31, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 31-35 be withdrawn.

With regard to Claim 36, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

defining one or more class types, wherein each class type defines a high level abstraction of one or more different physical or

logical locations for which a particular cellular phone behavior is desired; and

associating attributes with the one or more class types, the attributes defining cellular phone behavior.

In particular, neither Alperovich nor Kuwahara teach or suggest defining one or more class types, wherein each class type defines a high level abstraction of one or more different physical or logical locations for which a particular cellular phone behavior is desired. Accordingly, neither Alperovich nor Kuwahara teach or suggest associating attributes with the one or more class types. Furthermore, Claims 37-40 are also allowable by virtue of their dependency on Claim 36, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 36-40 be withdrawn.

With regard to Claim 41, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

defining one or more class types, wherein each class type is an abstraction of one or more different physical or logical locations;

associating attributes with each of the one or more class types, the attributes defining cellular phone behavior; and

associating a class type with an instance of a location for which a particular cellular phone behavior is desired.

In particular, neither Alperovich nor Kuwahara teach or suggest defining one or more class types, wherein each class type is an abstraction of one or more different physical or logical locations. Accordingly, neither Alperovich nor Kuwahara teach or suggest associating attributes with the one or more class types. Applicants therefore respectfully request that the rejection of Claim 41 be withdrawn.

With regard to Claim 42, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

> defining one or more class types, wherein each class type is an abstraction of one or more physical or logical locations for which a particular cellular phone behavior is desired, the class type having attributes that define the cellular phone's behavior; and
>
> wirelessly transmitting information pertaining to a given class type for reception by cellular phones in the location, the information being configured to be used by cellular phones to automatically adjust one or more behaviors.

In particular, neither Alperovich nor Kuwahara teach or suggest defining one or more class types, wherein each class type is an abstraction of one or more physical or logical locations for which a particular cellular phone behavior is desired, the class type having attributes that

define the cellular phone's behavior. Accordingly, neither Alperovich nor Kuwahara teach or suggest wirelessly transmitting information pertaining to a given class type for reception by cellular phones in the location, the information being configured to be used by cellular phones to automatically adjust one or more behaviors. Claim 43 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 44-47 are allowable by virtue of their dependency on Claim 42, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 42 and 44-47 be withdrawn.

With regard to Claim 54, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

> a context service module that is configured to receive different forms of information from multiple different types of context providers; and
>
> one or more processors associated with the context service module and configured to:
>
> receive information that pertains to a current context of the cellular phone;
>
> determine the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an

administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction; and

modify at least one behavior of the cellular phone responsive to the current context, wherein at least one of said one behavior is defined by a third party.

In particular, neither Alperovich nor Kuwahara teach or suggest determining the current context based on the information and a hierarchy data tree of attributes, wherein levels of the hierarchy tree of attributes are arranged in one or more classes selected from a group consisting of a political abstraction, an administrative abstraction, and organization abstraction, a geographical abstraction, an infrastructure abstraction, a public place abstraction and a private entity abstraction. Claim 55 has been canceled rendering the rejected under 35 U.S.C. § 103 moot. Claims 56 and 57 are allowable by virtue of their dependency on Claim 54, as well as the additional elements they recite. Applicants therefore respectfully request that the rejection of Claims 54, 56 and 57 be withdrawn.

With regard to Claim 58, Applicants respectfully assert that Alperovich and Kuwahara fail to teach or suggest:

location provider means for receiving different forms of location information;

means for ascertaining a current location from the different forms of location information;

means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises:

a plurality of nodes, wherein each node is linked to one or more other nodes;

a plurality of attributes corresponding to either a physical or logical context, wherein each attribute is associated with at least one node; and

means for modifying at least one behavior associated with the cellular phone responsive to the context.

In particular, neither Alperovich nor Kuwahara teach or suggest a means for determining a context from the current location and a hierarchy tree structure, wherein the hierarchy tree structure comprises a plurality of nodes, wherein each node is linked to one or more other nodes, and a plurality of attributes corresponding to either a physical or logical context, wherein each attribute is associated with at least one node. Accordingly, Applicants therefore respectfully request that the rejection of Claim 58 be withdrawn.

Double Patenting

Claims 50-53 stand rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-6 and 28-34 of U.S. Patent No. 6,327,535 to Evans and U.S. Patent Application No. 09/746,924 to Evans. Attached is a terminal disclaimer to overcome the actual and provisional double patenting rejection. Accordingly, Applicants therefore respectfully request that the rejection of Claims 50-53 be withdrawn .

New Claims

New Claims 59-67 are provided for examination. Applicants believe that these claims are allowable over the prior art of record.

Conclusion

Claims 2, 4-27, 29-47, 50-52, 54 and 56-69 are in condition for allowance. Applicant respectfully requests prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Examiner is requested to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Date: 7/22/05

By: _____

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